

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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PENGUIN GROUP (USA) INC.,

Plaintiff,

-against-

AMERICAN BUDDHA,

Defendant.
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:
: **No. 09cv528 (GEL) (DF)**

: **ECF CASE**
:
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NOTICE OF APPEAL

PLEASE TAKE NOTICE that Penguin Group (USA) Inc., Plaintiff in the above-named case, hereby appeals to the United States Court of Appeals for the Second Circuit from the Opinion and Order dated April 21, 2009 of The Honorable Gerard E. Lynch, United States District Judge, entered in this action on April 21, 2009.

Dated: New York, New York
April 23, 2009

COWAN, LIEBOWITZ & LATMAN, P.C.

By: _____


Richard Dannay (rxd@cll.com)
Thomas Kjellberg (txk@cll.com)
1133 Avenue of the Americas
New York, New York 10036
Telephone: (212) 790-9200
Facsimile: (212) 575-0671
Attorneys for Plaintiff